

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARIANELA SUSANA,

Plaintiff,

-V-

NY WATERWAY *et al.*,

Defendants.

20 Civ. 455 (JPC)

ORDER


JOHN P. CRONAN, United States District Judge:

On February 8, 2022, Defendants filed a motion to dismiss this action pursuant to Rule 37 of the Federal Rules of Civil Procedure. Dkts. 61-64. Paragraph 6.A. of the Court’s Individual Rules and Practices in Civil Cases provides that “[u]nless otherwise ordered by the Court, a party seeking to file a motion must submit a pre-motion letter in accordance with [paragraph] 1.A [], not to exceed three pages in length absent leave of the Court, notifying the Court of its anticipated motion, summarizing the basis for the anticipated motion, and proposing a briefing schedule.” Likewise, Local Civil Rule 37.2 provides that “[n]o motion under Rules 26 through 37 inclusive of the Federal Rules of Civil Procedure shall be heard unless counsel for the moving party has first requested an informal conference with the Court by letter-motion for a pre-motion discovery conference . . . and such request has either been denied or the discovery dispute has not been resolved as a consequence of such a conference.”

Accordingly, Defendants' motion to dismiss is denied without prejudice. Defendants are directed to file a pre-motion letter in accordance with the Court's Individual Rules and the Local Civil Rule. The Clerk of Court is respectfully ordered to terminate the motion pending on Docket Number 62.

SO ORDERED.

Dated: February 8, 2022
New York, New York



JOHN P. CRONAN
United States District Judge